

CHAPTER 307

REVENUE - ACTIVITIES REGULATION

SENATE BILL 19-200

BY SENATOR(S) Gonzales, Sonnenberg, Bridges, Cooke, Coram, Court, Crowder, Ginal, Hisey, Moreno, Priola, Rodriguez, Scott, Williams A., Woodward;
 also REPRESENTATIVE(S) Valdez A. and Humphrey, Arndt, Bird, Buentello, Caraveo, Catlin, Gray, Herod, Hooton, Jaquez Lewis, Mullica, Neville, Tipper, Titone, Will, Becker.

AN ACT

CONCERNING AN EXCEPTION TO THE PROHIBITION ON REMOVING AN ALCOHOL BEVERAGE FROM A PREMISES LICENSED TO SERVE ALCOHOL BEVERAGES AT THE NATIONAL WESTERN CENTER.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 44-3-901, **add** (1)(i)(VIII) as follows:

44-3-901. Unlawful acts - exceptions - definitions. (1) Except as provided in section 18-13-122, it is unlawful for any person:

(i) (VIII) NOTWITHSTANDING SUBSECTION (1)(i)(I) OF THIS SECTION AND WHEN AND WHERE CONSUMPTION IS SPECIFICALLY AUTHORIZED BY AN ORDINANCE ADOPTED BY THE CITY AND COUNTY OF DENVER, IT IS NOT UNLAWFUL FOR ADULT PATRONS OF THE NATIONAL WESTERN CENTER TO CONSUME MALT, VINOUS, OR SPIRITUOUS LIQUORS IN UNLICENSED AREAS OF THE NATIONAL WESTERN CENTER OR AT A LICENSED PREMISES IN THE NATIONAL WESTERN CENTER WHEN NOT PURCHASED AT THE LICENSED PREMISES. THIS SUBSECTION (1)(i)(VIII) DOES NOT AUTHORIZE A PATRON TO REMOVE AN ALCOHOL BEVERAGE FROM THE NATIONAL WESTERN CENTER.

SECTION 2. In Colorado Revised Statutes, **amend** 44-3-909 as follows:

44-3-909. Colorado state fair - common consumption area - national western center - consumption on premises. (1) Notwithstanding any other provision of this article 3, a person who purchases an alcohol beverage for consumption from a vendor licensed under this article 3 that is either attached to a common consumption

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

area or licensed for the fairgrounds of the Colorado state fair authority may leave the licensed premises with the alcohol beverage and possess and consume the alcohol beverage at any place within the common consumption area or fairgrounds if the person does not remove the alcohol beverage from the common consumption area or fairgrounds. This ~~section~~ SUBSECTION (1) does not authorize a person to bring into the common consumption area or fairgrounds an alcohol beverage purchased outside of the common consumption area or fairgrounds.

(2) WHEN AND WHERE SPECIFICALLY AUTHORIZED BY AN ORDINANCE ADOPTED BY THE CITY AND COUNTY OF DENVER AND NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE 3, A PERSON WHO PURCHASES AN ALCOHOL BEVERAGE FOR CONSUMPTION FROM A VENDOR LICENSED UNDER THIS ARTICLE 3 FOR THE NATIONAL WESTERN CENTER MAY LEAVE THE LICENSED PREMISES WITH THE ALCOHOL BEVERAGE AND POSSESS AND CONSUME THE ALCOHOL BEVERAGE AT ANY PLACE WITHIN THE NATIONAL WESTERN CENTER IF THE PERSON DOES NOT REMOVE THE ALCOHOL BEVERAGE FROM THE NATIONAL WESTERN CENTER. THIS SUBSECTION (2) DOES NOT AUTHORIZE A PERSON TO BRING INTO THE NATIONAL WESTER CENTER AN ALCOHOL BEVERAGE PURCHASED OUTSIDE THE NATIONAL WESTERN CENTER.

SECTION 3. Act subject to petition - effective date - applicability. (1) This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

(2) This act applies to conduct occurring on or after the applicable effective date of this act.

Approved: May 28, 2019